

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NOVO NORDISK A/S,)
Plaintiff,)
v.) C.A. No. 05-645-SLR
SANOFI-AVENTIS, AVENTIS)
PHARMACEUTICALS INC., and AVENTIS)
PHARMA DEUTSCHLAND GMBH,)
Defendants.)

**LETTER OF REQUEST FOR INTERNATIONAL
JUDICIAL ASSISTANCE (JENS MØLLER JENSEN)**

I.

1. Sender: United States District Court
District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801
United States of America
2. Central Authority
of the Requested State: Danish Ministry of Justice
Slotsholmsgade 10
1216 Copenhagen K
Denmark
Tel: 45-3392-3340
3. Person to whom the
executed request is
to be returned: Steven J. Balick (DE Bar No. 2114)
John G. Day (DE Bar No. 2403)
Lauren E. Maguire (DE Bar No. 4261)
ASHBY & GEDDES, P.A.
222 Delaware Avenue, 17th Floor
P.O. Box 1150
Wilmington, Delaware 19899
Tel: (302) 654-1888

II.

4 & In conformity with Article 3 of the Hague Convention on the Taking of Evidence
5. Abroad in Civil or Commercial Matters, the United States District Court for the
District of Delaware, J. Caleb Boggs Federal Building, 844 N. King Street,
Wilmington, Delaware 19801 presents its compliments to the Danish Ministry of
Justice, Slotsholmsgade 10, 1216 Copenhagen K, Denmark and requests international
judicial assistance to obtain evidence to be used in a civil proceeding before this Court
in the above-captioned matter.

6. The parties to this action and their
respective representatives are:

Plaintiff:

Novo Nordisk A/S
Novo Allé
DK-2880 Bagsværd
Denmark

Representatives of Plaintiff:

Frederick L. Cottrell III
Anne Shea Gaza
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
P.O. Box 551
Wilmington, Delaware 19899

Jeffrey J. Oelke
Scott T. Weingaertner
WHITE & CASE LLP
1155 Avenue of the Americas
New York, NY 10036-2787

Defendants:

Sanofi-Aventis
174/180 Avenue de France
Paris Cedex 75013
France

Aventis Pharmaceuticals Inc.
300 Somerset Corporate Blvd.
Bridgewater, NJ 08807-2854
United States of America

Aventis Pharma Deutschland GmbH
Kommunikation Deutschland

Gebäude F821
Industriepark Höscht
65926 Frankfurt
Germany

Representatives of Defendants:

Steven J. Balick
John G. Day
Lauren E. Maguire
ASHBY & GEDDES, P.A.
222 Delaware Avenue, 17th Floor
P.O. Box 1150
Wilmington, Delaware 19899

Paul H. Berghoff
Curt Whitenack
Thomas E. Wettermann
Eric R. Moran
MCDONNELL BOEHNEN HULBERT &
BERGHOFF, LLP
300 S. Wacker Drive
Chicago, Illinois 60606

7. This is an action brought by Novo Nordisk A/S ("Novo") against Sanofi-Aventis, Aventis Pharmaceuticals Inc., and Aventis Pharma Deutschland GmbH ("Aventis") under the patent laws of the United States, Title 35 of the United States Code, seeking monetary damages and an injunction for alleged infringement of United States Patent No. 6,582,408 ("the '408 patent"). Novo is the assignee of the '408 patent. Aventis denies that it has infringed the '408 patent and asserts that the '408 patent is invalid and unenforceable.

Mr. Jens Møller Jensen is one of the inventors named on the '408 patent. Mr. Jensen is an industrial designer who made significant contributions to the invention claimed in the '408 patent. Mr. Jensen's name also appears on numerous documents produced by Novo in this litigation. Therefore, Mr. Jensen has important information and evidence for submission at trial.

8. This Court requests that the Central Authority forward this request to the appropriate judicial authority to compel the appearance of the below-named individual to give evidence under oath concerning his work relating to the '408 patent. This assistance is necessary in the interests of justice.

III.

9. Identity and address of person to be examined: Mr. Jens Møller Jensen
Nyhavn 39
DK-1051
København K
Denmark

10. Subject matter about which the person is to be examined: Mr. Jensen's work relating to the invention claimed in the '408 patent and his knowledge of the subject matter described in the '408 patent, including: his specific contribution to the invention claimed in the '408 patent; the conception and reduction to practice of the invention claimed in the '408 patent; the best mode of practicing the invention claimed in the '408 patent; the sufficiency of the disclosure in the '408 patent; his knowledge of material prior art relevant to the '408 patent; the meaning of terminology used in the '408 patent and related patents; the validity and enforceability of the '408 patent.

11. Documents to be produced: None

12. Any requirement that the evidence be given under oath or affirmation and any special form to be used: All evidence shall be given under oath in accordance with Denmark law.

13. Special methods or procedures to be followed: For the benefit of all parties, it is respectfully requested by the below signed authority that the date for the deposition of Mr. Jensen be scheduled as close as possible to January 10, 2007. This deposition is not expected to exceed a single eight-hour day.

This Court requests that the appropriate authority in Denmark provide to this Court as soon as convenient all information regarding the scheduled date, time and place for the oral deposition of Mr. Jensen, with any other pertinent information, including what authority has been appointed to preside over the deposition.

It is requested that, if possible, the deposition be reduced to verbatim written transcript, with

all associated costs to be paid by Defendants. If it is not possible to create a verbatim written transcript, it is requested that the standard and usual record of the deposition be reduced to written transcript.

It is requested that permission be granted to have the judicial authorities of Denmark appoint an English/Danish language interpreter to be present at the scheduled deposition and translate testimony at the time it is given and that all testimony reduced to written transcript also be recorded in English.

It is requested that any written deposition transcript, with any and all exhibits and documents produced, be marked, attested, properly sealed and returned through appropriate diplomatic channels to the Honorable Sue L. Robinson, c/o Clerk of the United States District Court for the District of Delaware, United States District Court, J. Caleb Boggs Federal Building, 844 N. King Street, Room 6124, Wilmington, Delaware 19801.

14. Request for notification of the time and place of the Request and identity and address of any person to be notified:
Please notify all Representatives identified in Paragraph 6 above.

15. Request for attendance or participation of judicial personnel of the requesting authority at the execution of the Letter of Request:
Defendants' attorneys request, under authorization of this Court, permission to attend and participate in the oral deposition of Mr. Jensen. If permission to attend and participate is granted, it is requested that Mr. Steven J. Balick be provided with the date, time and place of the deposition as soon as convenient.

16. Specification of privilege or duty to refuse to give evidence under the law of the State of origin:
None

17. The fees and costs incurred which are reimbursable under the second
McDonnell Boehnen Hulbert & Berghoff, LLP

paragraph of Article 14 or under article 26 of the Convention will be borne by:

300 South Wacker Drive
Suite 3100
Chicago, Illinois 60606

18. Date of Request: November 10, 2006

19. Signature and seal of the requesting Authority:
By the Court:

Sue L. Robinson
Honorable Sue L. Robinson, U.S.D.J.
c/o Clerk of the United States District Court
for the District of Delaware
United States District Court
J. Caleb Boggs Federal Building
844 N. King Street
Room 6124
Wilmington, Delaware 19801

[Seal of Court]